

January 11, 2010

All Affected Cities, Counties and Towns
All Certificated Local Exchange Providers

RE: Right of Way Use Fees

Ladies and Gentlemen:

Under State Code §56-468.1, the Virginia Department of Transportation (VDOT) is responsible for calculating the monthly fee per access line and reporting it to all affected localities and certificated providers of local exchange telephone services.

Annual Reports received indicate there were 3,539,864 access lines and 2,555,733 feet of new installation as of September 30, 2009. Based upon that information, and the latest highway mileage figure of 69,932.39, the public right of way use fee will be \$0.76 per access line for the period July 1, 2010, through June 30, 2011. This is a decrease of \$.13 (14.6%) from last year. The accuracy of the calculated rate is directly dependant on the certificated providers providing the report in a timely fashion as specified in the Virginia State Code.

All telecommunication companies affected by this legislation should take the necessary steps to include the charge on their billings and submit collections to the appropriate governmental entity. Monies due VDOT should be sent using the Public Right-of-Way Use Fee Remittance Advice form. For the Certificated Providers, a Remittance Advice form can be accessed at: <http://www.virginiadot.org/business/row-usefee.asp>

Should there be any questions regarding the right of way use fee, please contact Edward Land at (804) 786-4429.

Sincerely,

Richard Bennett.
State Right of Way Director

cc: Virginia Department of Taxation
Virginia Association of Counties
Virginia Municipal League
Virginia Telecommunication Industry Association
State Corporation Commission
Ms. Janice S. Long